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File Number:	109927/130487		
No. of Pages, Including Cover:	12	Transmittal Time:	10:17 AM
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I am the: <input type="checkbox"/> Applicant/Inventor. <input checked="" type="checkbox"/> Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).																	
SIGNATURE of Applicant or Assignee of Record																	
Name	Craig G. Elsmon																
Signature																	
Date	10/16/05																
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.																	
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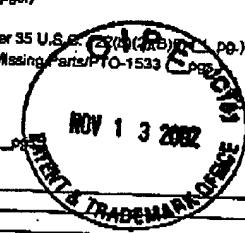


Attorney's Docket No.:	109922-130487	Atty/Sec:	ATA/mjt
Application No.:	09/834,476	Filing Date:	April 16, 2001
Title: <b>SECONDARY DATA ENCODED ALONG WITH ORIGINAL GENERATING RESPONSES TO REQUESTS FROM WIRELESS DEVICES</b>			
Client:	Action Engine Corporation	Inventor(s):	Brian C. Roundtree
Date Mailed:	11/15/02	Docket Date:	

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IPG Ref. No.: 41097.P016



87

Attorney's Docket No.:	109927-1304	Initials:	ATA/cah/vlc
Application No.:	09/783,608	Filing Date:	
Title: <b>SECONDARY DATA ENCODED ALONG WITH BASED ORIGINAL DATA FOR GENERATING RESPONSES TO REQUESTS FROM WIRELESS DEVICES</b>			
Client:	Action Engine Corp.	Inventor(s):	Meyer et al.
Date Mailed:	12-15-04	Docket Date:	
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<input type="checkbox"/> Appeal Brief & two copies (____pgs. each)	<input type="checkbox"/> Notice of Appeal (____pgs.)		
<input type="checkbox"/> Application: _____ (____pgs.)	<input type="checkbox"/> Petition for Extension of Time: _____ mos. (____pgs.)		
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<input checked="" type="checkbox"/> Check No.: 12902 Amount: 65.00	<input type="checkbox"/> Request & Certification Under 35 U.S.C. 122(b)(2)(B)(i) (1 pg.)		
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IPG No. P016



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**GORSEY & WHITNEY  
INTELLECTUAL PROPERTY DEPARTMENT  
370 SEVENTEENTH STREET  
SUITE 4700  
DENVER CO 80202-5647**

In re Application of  
Meyer et al  
Application No. 09/834,649  
Filed: April 16, 2001  
Attorney Docket No. 12084

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**OFFICE OF PETITIONS****NOTICE**

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby ACCEPTED.

This application no longer qualifies for small entity status. Accordingly, all future fees must be paid at the large entity rate.

There is no indication that the person signing the instant notification was ever given a power of attorney or authorization of agent to prosecute the above-identified application. If the person signing the instant petition desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address currently of record until such time as appropriate instructions are received to the contrary.

Application No. 09/834,649

-2-

Inquiries related to this communication should be directed to the undersigned at (571) 272-3208.

*Karen Creasy*  
Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc:

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